

VZCZCXRO7072
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DE RUEHRL #0080/01 0121602
ZNR UUUUU ZZH
P 121602Z JAN 07
FM AMEMBASSY BERLIN
TO RUEAHLG/DEPT OF HOMELAND SECURITY WASHDC PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY 6673
RUEFHLC/HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY
INFO RUCNMEM/EU MEMBER STATES COLLECTIVE
RUCNFRG/FRG COLLECTIVE

UNCLAS SECTION 01 OF 02 BERLIN 000080

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SENSITIVE
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E.O. 12958: N/A

TAGS: [EAIR](#) [KJUS](#) [PREL](#) [PTER](#) [GM](#)

SUBJECT: TSA OFFICIALS DISCUSS AVIATION SECURITY WITH
GERMAN INTERIOR AND TRANSPORTATION MINISTRIES

¶1. (SBU) Summary. In meetings with German Interior and Transportation officials December 19, TSA representatives pushed for more access by USG inspectors to Germany's airports and to air carriers that fly to the U.S. The TSA reps also voiced concerns about Germany's failure to re-screen carry-on baggage of passengers transiting Germany en route to the U.S. whose carry-on items have been screened at an airport of another EU Member State. The German side cited resource and manpower constraints as the factors that have limited access USG inspectors' access, and suggested that the U.S. agree to participate in joint inspections with EU personnel. On the issue of re-screening carry-on baggage, the German officials asked that the USG place greater trust in the EU's concept of "one-stop security," i.e., that screening in any EU airport obviates the need for re-screening. TSA reps cited U.S. regulations that required re-screening and indicated we would have very limited flexibility on this issue. End Summary.

¶2. (SBU) Transportation Security Administration (TSA) Director for Stakeholder Liaison Victoria Reeder met with officials from the German Interior and Transportation Ministry December 19 to review airport and airline security issues, with a particular emphasis on mandatory assessments of German airports and inspections by USG personnel of airlines that fly from Germany to the U.S. The German delegation was led by Dietmar Marschollek, Interior Ministry Director for Aviation Security, and Joerg Mendel, Transportation Ministry Director for Aviation Security. Reeder was accompanied by TSA Country Representative and Global Affairs Counselor.

¶3. (SBU) Reeder first raised the issue of air carrier inspections, noting USG personnel have at times encountered difficulties in scheduling mandatory inspections of non-U.S. flag carriers that operate out of German airports. Reeder pointed out that air carrier inspections were distinct from airport assessments and were mandated by U.S., rather than international, legal requirements.

¶4. (SBU) Marschollek replied by recalling that the EU as a whole has been discussing the issues of airport assessments and air carrier inspections with the U.S. Bilateral discussions on these issues must complement the ongoing U.S.-EU dialogue, he said. On the issue of USG inspections of non-U.S. flag carriers, Marschollek argued that to allow the U.S. to conduct inspections as requested would stretch German resources too thinly and would also open the door to requests from other governments to inspect all air carriers that fly to their respective countries. Noting that the EU regularly conducted its own inspections, he suggested that the U.S. consider participating in joint inspections with EU personnel. He also proposed increased data-sharing between Germany and the U.S. with respect to the results of

inspections carried out by Germany.

15. (SBU) Reeder welcomed the possibilities for enhanced information exchange, but voiced concerns about the appropriateness of joint U.S.-EU inspection teams. She reminded the German side that USG security enforcement criteria are often more stringent than the standards applied by the EU. She also stressed that TSA was obligated by U.S. law to carry out inspections in accordance with U.S. requirements and procedures. The TSA has very little flexibility in this regard.

16. (SBU) Marschollek next raised the issue of re-screening carry-on luggage that transits airports only within the EU. He argued that the U.S should accept the EU policy of "one-stop security" that considers a one-time screening of carry-on luggage at any EU airport sufficient, provided that passengers transit only through approved airport security zones prior to their onward travel to the U.S. Mendel posited that the USG might not be sufficiently familiar with EU screening procedures, and suggested more TSA access to EU screening teams -- or even the integration of TSA screeners into EU teams -- as measures that would help allay U.S. security concerns. Reeder replied that while the USG might be satisfied with screening procedures at most airports in Germany, we did not consider those procedures sufficient at all EU airports. She stressed that TSA also has limited flexibility in this case, since the requirements to re-screen carry-on baggage are statutory.

17. (SBU) In response to a question from TSA Country Rep as to whether Germany would consider allowing air carriers to contract a commercial security firm to conduct the re-screening required by USG regulations, Marschollek said

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Germany would continue to rely exclusively on official government personnel. He reiterated his request that the USG place greater trust in German security practices and procedures. Reeder undertook to consider the German proposals, but reiterated that the statutory nature of TSA security-related procedures and requirements placed considerable constraints on TSA flexibility.

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